Bylaw Review Committee Meeting
Wednesday, May 22, 2018
First Floor Meeting Room, Town Hall

Members present: Bernard Kubiak, Kay Moran, and Robert Ritchie.
Others present: Town Manager Paul Bockelman, Economic Development Director
Geoffrey Kravitz

Meeting convened at 9:30 AM

1. Minutes of May 16, 2018 – Kravitz will send a working Word copy rather than a PDF.
Moran move acceptance, Kubiak seconded, minutes accepted on a unanimous vote.

2. Remote participation policy
Ritchie noted that the committee is not likely to need to implement the policy and there are
alternatives available. It's likely a quorum will be available to adopt motions. Committee will
simply follow the rules regarding remote participation.

3. Committee Rules & Policies
Committee can fall back on Robert's Rules should the situation warrant it.
Moran suggests that public participation be limited to the first 10 minutes of the meeting, Ritchie
adds to limit people to 3 minutes. Moran moves to adopt those requirements, seconded by
Kubiak. Motion carries unanimously.

4. Review of the Bylaws
Ritchie distributed a set of strategies and approaches for the committee's task. He anticipates
that what will be developed is a composite of bylaws moved, modified, deleted but also
recommendations as to what may be needed as new. The work product should stay as faithful to
current bylaw as possible while identifying areas that the council may consider. It will not be a
full recodification but that will be needed eventually.

The committee reviewed the recommended conventions (see attached).

Ritchie took a Word version of the updated town bylaws, saved as a text only document that
allows the committee to make changes. The document does not include the zoning bylaw. The
committee will need to settle on a framework to move the work into.

Ritchie reviewed initial characterization for current bylaw text migration. Any framework
discussion should include the new town clerk, but we do need a format for order and cross
reference. The old bylaw will be archived and contain legislative history.

Standing conventions: "bylaws" spelled without a hyphen and use the singular in defining terms.

The current code does not have a plan or organization, is not intuitive and not labeled. Ritchie distributed a substitute framework as a working model and discussed same, offered comparison to framework used by zoning bylaws. Brockelman suggests replicating the style of the charter.

In the mechanics of managing the document, track changes can be useful but result in loss of history once accepted. As an alternative strikethrough an red text for substitutions will be used to easily see what was done. Ritchie will take draft one and modify it for section designation and subsections designation, as a place to start editing of the bylaws. The legislative style manual will serve as a guide. Each committee member will select sections of the code to work on simultaneously, submitting those changes to Kravitz who will maintain the archives and master draft. Kravitz will then make the draft available to the committee as a whole for discussion and eventual acceptance. The committee will make use of the comment functions. The Times Roman 12 font as default throughout the document.

Moran will edit pages 27 through 61 (article II), Kubiak will edit Article 1, pages 5-26 and Ritchie will create updated table of contents and structure and edit Article III (63 to 69).

Selectboard will identify a person who can replace Moran who will be leaving the committee in the future.

Special acts: Kravitz will review the special acts retained and advise as to their status.

Moran moved to adjourn, Kubiak seconded. The vote was unanimous and the meeting adjourned at 11:15AM

Respectfully submitted,
Bernie Kubiak, Clerk Pro Tem

Documents referred to:
Current town bylaws
Town Charter
Ritchie editing conventions recommendations (attached as part of minutes)

Attack strategies -

- Preserve as best we can all existing bylaw text, purposes, meanings, and functionality.
- Contrast the scope of the Committee's charge with a full recodification (see recodification below, except perhaps for grammar & syntax)
- Conversion of Outlining & Numbering (framework)
- Questions of legality should be referred to the Town Attorney.
- When duties and responsibilities of Town officials and staff involved in migrated text, arrange for input from them about the transition from the Old Code to the New Code.
- Map and migrate the provisions of the Old Code to the New Code, retaining at least initially the structure of the Old Code.
- Anticipate the Council's need to vote for a full substitution of the New Code for the Old Code.

Conventions -

- New Charter = new form of government under Home Rule Charter & Special Acts.
- Old Charter = old form of government replaced by new Charter
- Code = all town bylaws (including general, zoning, et al)
- Old Code = current bylaws
- New Code = bylaws to be proposed to Council
- Recodification (Recode) = Complete substitution of the code, including repositioning, renumbering, reformatting, and recaptioning of code provisions.

Possible Categories for Current Bylaw Text Migration –

A = (Blue) <u>No change</u>. Move block of text from the Old Code directly over to the New Code without changes, inserting the block into the corresponding place of the New Code.

B = (Blue Shade + Red Font) <u>Substituted Terms</u>. Move block of text over from the Old Code with a simple substitution in official/agency. Annotate as appropriate for an obvious substitution, or for a substitution to be made by the Council.

C = (Yellow) Block of text in the Old Code has <u>uncertain adaptation</u> under New Charter. Insert into New Code and annotate with or without suggested text changes.

D = (~~Strike-through~~) <u>Delete</u> block entirely. Block of text has no application under New Charter. Insert block into New Code ~~in strikeout format.~~

E = (Green) <u>Add</u> a placeholder in the New Code for a provision not found in the Old Code that we deem necessary and appropriate for the New Code "to fully implement Charter provisions."

Comments to be inserted as appropriate.

Other Migration Considerations –
- Gender neutral terms unless otherwise constrained
- Mapping relocation of text into New Code framework
- Uniform font, formatting, table of contents, section captions, and alphanumerics
- Conversion of Roman Numerals to Numbers
- Track-changes
- Legislative history annotations
- Definitions